



UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,581	04/25/2001	Jafar S. Nabkel	1849 (42059-01300)	7728

22193 7590 09/14/2005

QWEST COMMUNICATIONS INTERNATIONAL INC
LAW DEPT INTELLECTUAL PROPERTY GROUP
1801 CALIFORNIA STREET, SUITE 3800
DENVER, CO 80202

EXAMINER

BATES, KEVIN T

ART UNIT PAPER NUMBER

2155

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/842,581

Applicant(s)

NABKEL ET AL.

Examiner

Kevin Bates

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 August 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because

(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

(b) ☐ They raise the issue of new matter (see NOTE below);

(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None

Claim(s) objected to: None

Claim(s) rejected: 1,3-19 and 31-56

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

**SALEH RAJJAR
PRIMARY EXAMINER**

The applicant argues that the reference Emery, does not disclose prioritizing rules on ISC processing because Emery discloses the priority of registering mobility controllers, not ISC processing. The examiner asserts that the registering of the mobility controllers is a process of the ISC and its based on rules so then some of the ISC processing is prioritized thus meeting the limitation.

Regarding claim 10, the applicant argues that the reference does not include at least one of TAC, ASM, MB, or another ISC. The examiner disagrees, in order to meet the limitation of the claim Emery only needs to disclose at least one of the listed system entities and the references discloses more than one ISC.

Regarding claim 15, the applicant argues that the reference does not disclose having visible subscriber information between communication services. The examiner disagrees, the reference discloses moving subscriber information from its home location to a visitor location, so if it can move the information then the other service can see the information so the limitation is covered.

Regarding claim 19, the applicant argues that the reference does not teach merging of shared information. The examiner disagrees because in Column 21, lines 19 - 26 the information about the the client profile is received at the ISCP and used to merge with call information and together the detail how the service for the client should be handled.

Regarding claim 23, the applicant argues that the reference does not teach a master ISC. The examiner disagrees, for each user, the home location receiver is the primary or master controller for each of their calls and the visitor location can gain access and information about a roaming user by receiving information from the master ISC on a per call basis.

Regarding claim 24, the applicant argues that there are no peer ISCs in the reference. The examiner disagrees, the reference teaches a first and second ISCP that must communication with each other and have similar intergrated structures which would allow them to use the same functions.

Regarding claim 25, the applicant argues that the reference does not disclose a hierarchy of ISCs. In a different embodiment, seen on Column 13, lines 66 to Column 14, line 2 the reference discloses a reduced function ISC that does not have all the features the main standalone ISC can use.

Regarding claim 11, the applicant argues that the reference Lawson is not analogous and that Lawson does not teach defining events for the communication services registering their notification interest in said events. The examiner disagrees, the references are analogous because they are both dealing with registering and messaging information between system enties in a network based on user interest and the combination of Emery and Lawson covers the limitations of the claim because Emery discloses system entities registering their interest in communication and Lawson improves the system because it adds the idea of events being registered for and sent to system entities rather than just random communications, this allows important notices of the system to be sent only the system entities that the messages are important too.